

FAYETTEVILLE



OBSERVER.

N. C. WALLACE, J.

"Let all the ends thou aimst at be thy Country's, thy God's, and Truth's."

PUBLISHER & PROPRIETOR.

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FAYETTEVILLE, TEN., THURSDAY, JULY 7, 1853.

WHOLE NO. 125.

Two Dollars for one you if paid at the time of subscription. **Two Dollars and Fifty Cents**, without deviation after the expiration of three months.

Half Dollars for Advertisements, Job Work, or Subscription, considered due when contracted, except those with whom we have running accounts.

No Paper will be sent out of the county unless paid for in advance.

Advertisements inserted at One Dollar per column of Two Lines, Extra, for the first insertion; Fifty Cents for each continuation.

Persons advertising by the year, will be charged Thirty Dollars for a whole column, Twenty Dollars for one-half, Ten Dollars for one-quarter. No deviation from these terms under any circumstances.

The privilege of yearly advertisements is strictly limited to clear and immediate and regular business; and the business of an advertising firm is not considered as including that of individual members.

Announcing in advance **Three Dollars to be paid in advance in every case.**

Advertisements not paid with the number of insertions when has been, will be considered undelivered, and payment exacted.

No advertisement inserted gratis.

Advertisements of a personal nature, made to charge double price.

Advertisement of plantings inserted at Thirty Dollars per Column, per Year.

Job Printing, of ALL kinds, ready done. New type, and on as reasonable terms as any office in Tennessee.

No paper will be discontinued until all advances are paid up—except at the option of the Publisher.

Items of News. With Editorial Speculations.

It is often easier to obtain favors from the pride than the charity of men. A shrewd preacher after an eloquent charity sermon, said to his hearers: "I am afraid from the sympathy displayed in your countenances that some of you may give too much. Encourage you, therefore, that you should be just before you are generous, and wish you to understand that we desire no one who cannot pay his debts to put anything in the plate." That collection was a round one.

A small piece of paper or linen, moistened with turpentine, and put into the wardrobe or drawers for a single day, two or three times a year, is a sufficient preservation against moths.

Parallel Cases.—An agricultural author, talking of hem culture says: "Fowls that are penned up should have some kind of amusement—it is essential to their health. The kind of amusement is shelling their own corn, &c." It is the same with the fairs with the fowl—the women who are penned up should have some amusement such as making their own bread, &c.

Singular Custom.—One of the solemnities of a Jewish wedding at Aleppo, (says Mr. Russell) is fastening the eyelids together with gum. The bridegroom is the person who opens at the proper time the eyes of his bride. He does not add whether they are to remain open the remainder of her matrimonial career.

A certain divine, who had usually a very small audience, was one day preaching while the doors were open, when it stalked a gander and several geese. The preacher took advantage to remark, that he could no longer claim his district for non-attendance because, though they did not attend themselves, they sent their representatives.

It is said that \$150,000 worth of strawberries will be sold in New York this season.

Hor. Reuben H. Walworth has been chosen Grand Master of the Grand Lodge of New York. The chapter is a secret, as he was formerly an anti-Mason.

Lancaster Town, Mass., on Wednesday last, commemorated its two hundredth anniversary by the ringing of bells, firing of cannon, and a fine procession.

The celebrated Dr. Wollaston manufactured a piece of gold ore one thirty-thousand part of an inch in thickness, and it is calculated that the gold on the very finest silver wire for gold lace is not more than one third of one-millionth of an inch in thickness.

The Secret Closet,

Or, Let Well Enough Alone.

Something more than fifty years ago, a man by the name of Henry Thompson called at the house of John Smith, resident in a retired part of England, and requested a night's lodging. This request was readily granted, and the stranger, having taken some refreshments, retired early to bed, requesting that he might be awakened soon the following morning. When the servant appointed to call him entered the room for that purpose, he was found in his bed perfectly dead. On examining his body, marks of violence appeared, but his countenance looked extremely natural. The story of his death soon spread among the neighbors, and inquiries were made who he was, and by what means he came to his death.

Nothing certain, however, was known. He had arrived on horseback, and was seen passing through a neighboring village, about an hour before he reached the house where he came to his end. And then, as to the manner of his death, so little could be discovered, that the jury which were summoned to investigate the cause returned a verdict that he died "by a visitation of God." When this was done, the stranger was buried.

Days and weeks passed on, and little further was known. The public mind, however, was not at rest. Suspicion existed that foul means had been used in the stranger's death. Whispers to that effect were expressed, and in the minds of many, Smith was considered the guilty man. The former character of Smith had not been good. He had lived a loose and irregular life, involved himself in debt by his extravagance, and at length, being suspected of having obtained money wrongfully, he suddenly fled from the town. More than ten years, however, had now elapsed since his return, during which time he had lived at his present residence, apparently in good circumstances, and with an improved character. His former life, however, was now remembered, and suspicion, after all, fastened upon him.

At the expiration of two months, a gentleman one day stopped in the place for the purpose of making inquiry respecting the stranger, who had been found dead in his bed. He supposed himself to be a brother of the man. The horse and clothes of the unfortunate man still remained and were immediately known as having belonged to his brother. The body also itself was taken up, and though considerably changed, bore a strong resemblance to him. He now felt authorized to ascertain, if possible, the manner of his death. He proceeded, therefore, to investigate the circumstances as well as he was able. At length, he made known to the magistrate of the district, the information he had collected, and upon the strength of this, Smith was taken to jail to be tried for the wilful murder of Henry Thompson.

The celebrated Lord Mansfield was then called in to try the case. He charged the grand jury to be cautious as to finding a bill against the prisoner. The evidence of his guilt, if guilty, might be small. At a future time it might be greater; more information might be obtained. Should the jury now find a bill against him, and should he be acquitted, he could not be molested again, whatever testimony should rise up against him. The grand jury, however, did find a bill, but it was by a majority of only one. At length, the time of trial arrived. Smith was brought into the court and placed at the bar. A great crowd thronged the room, eager and anxious to see the prisoner, and to hear the trial. He himself appeared firm and collected. Nothing in his appearance or manner indicated guilt, and when the question was put to him by the clerk, "are you guilty or not guilty?" he answered with an unflinching tongue, and with a countenance perfectly unchanged. "Not guilty." The counsel for the pros-

ecution now opened the case. And it was apparent he had little expectation of being able to find the prisoner guilty. He stated to the jury that the case was involved in great mystery. The prisoner was a man of respectability and of property. The deceased was supposed to have had about him gold and jewels to a large amount; but the prisoner was not so much in want of funds as to be under a strong temptation to commit murder. And besides, if the prisoner had obtained the property, he had effectively concealed it. Not a trace of it could be found. Why then was the prisoner suspected? He would state the grounds of suspicion. The deceased, Henry Thompson, was a jeweller, residing in London, and a man of wealth. He had left London for the purpose of meeting a trader at Hull, of whom he expected to make a large purchase. That trader he did meet; and after the departure of the latter, Mr. Thompson was known to have in his possession gold and jewels to a large amount.

With these in his possession, he left Hull on his return to London. It was not known that he stopped until he reached Smith's, and the next morning was discovered dead in his bed. He died then in Smith's house, and if it could be shown that he came to his death in an unnatural way, it would increase the suspicion that the prisoner was in some way connected with the murder.

Now, then, continued the counsel, it will be proved beyond the possibility of a doubt, that the deceased died by poison. But what was the poison? It was a recent discovery of some German chemists, said to be produced from distilling seed of the wild cherry tree. It was a poison more powerful than any other known, and deprived of life so immediately, as to leave no marks of suffering, and no contusions to the features.

But then the question was, by whom was it administered? One circumstance, a small one indeed, and yet upon it might hang a horrid tale, was that the stopper of a small bottle of a very singular description had been found in the prisoner's house. The stopper had been examined, and said by medical men to have belonged to a German phial, containing the kind of poison which he had described. But there was that poison administered by Smith, or by Lord Mansfield, or by himself?

But he was now ready to relate all the circumstances he knew; she might then be called, and examined.

If her testimony does not confirm my story, let me be condemned.

The request of the prisoner seemed reasonable, and Lord Mansfield, contrary to his usual practice, granted it.

The prisoner went on with his statement. He said he wished to go out of court relieved from the suspicous weight which was resting upon him. As to the poison, by means of which the stranger was said to have died, he knew neither the name of it, nor even the existence of it, until made known by the counsel. He could call God to witness the truth of what he said.

And then, as to Mr. Thompson, he was a perfect stranger to him. How should he know what articles of value he had with him? He did not know. If he had such articles at all, he might have lost them on the road, or which was more probable, have otherwise disposed of them. And if he died by means of the laudanum he must have administered it himself.

He begged the jury to remember that his promises had been repeatedly broken, and that the most trifling article that belonged to the deceased had been discovered for a minute, when two of this, he could only say he had no persons seen, but whether they went into Thompson's room, at the other, and the deceased had been put in a room adjoining the housekeeper's.

It could be proved that about three hours after midnight, on the night of Thompson's death, a light had been seen moving about the house and that a figure holding the light was seen to go from the room in which the prisoner slept, to the chamber in which the deceased had been.

The witness had testified that some one had gone to the bed-room of the housekeeper on the night in question. He was ready to admit that he had been in bed, but he had been told all he wanted to know.

She was obliged to be taken from the bed-room, and a physician who was present was requested to attend her. She had returned with him to his prosecution left the court, but no one knew for what purpose. Presently the physician came into the court, and stated that it would be impossible for the housekeeper to resume her seat in the box short of an hour

tance beyond it. The counsel informed of the death of his guest. Such was the prisoner's address, which produced a powerful effect—It was delivered in a very firm and impressive tone, and from the simple and artless manner of the man, perched in substance what the opening lapses not one present doubted his entire innocence.

The housekeeper was now introduced, and examined by the counsel.

Lord Mansfield now addressed the

counsel again.

"I have but a few more questions to ask you," said he, "take heed how you answer, for your own life hangs upon a thread. Do you know this stopper?"

"I do."

"To whom does it belong?"

"To Mr. Smith."

"When did you last see it?"

"On the night of Mr. Thompson's death."

At this moment the solicitor entered the court, bringing with him, upon a tray, his watch, two money-bags, a jewel case, a pocket-book, and a bottle of the same manufacture as the stopper, and having a cork in it.

The tray was placed on the table, in sight of the prisoner and the witness, and from that moment not a deep impression on his mind—this was, that while the prisoner and the housekeeper were in the room of the former, something like a door had obstructed the light of the candle, so that the witness testified to the fact, but could not see it. What was the obstruction? There was no door—noting in the room which could account for this. Yet the witness is positive that something like a door did, for a moment, come between the window and the candle. The housekeeper was the only person that could give it.

Designing to probe this matter to the bottom, but not wishing to excite her alarm, he began by asking her a few unimportant questions; and among others, where the candle stood while she was in Smith's room?

"In the centre of the room," she replied.

"Well, and was the closet, or cupboard, or whatever you call it, opened once or twice while it stood there?"

She made no reply.

"I will help your recollection," said the counsel. "After Mr. Smith had taken the medicine out of the closet, did he shut the door, or did it remain open?"

"He shut it."

"And when he replaced the bottle in the closet, he opened it again, did he?"

"He did."

"And how long was it open the last time?"

"Not above a minute."

"Well, and when open would the door be exactly between the light and the window?"

"It would."

"I forgot," said the counsel, "whether you said the closet was on the right hand or the left hand side of the window?"

"On the left hand side."

"Would the door of the closet make any noise in opening?"

"None."

"Are you certain?"

"I am."

"Have you ever opened it yourself, or only seen Mr. Smith open it?"

"I never opened it myself."

"Did you ever keep the key?"

"Never."

"Who did?"

"Mr. Smith, always."

At this moment the housekeeper changed to cast her eyes towards Smith, the prisoner. A cold, damp sweat stood upon his brow, and his face had lost all its color; he appeared a living image of death—she no sooner saw him than she shrieked and fainted. The consequences of her answers flashed across her mind. She had been so thoroughly deceived by the man.

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or two.

It was about twelve in the day-

Lord Mansfield having directed that

the jury should be accommodated

with a room where they could keep by themselves, adjourned the court two hours. The prisoner in the meantime was remanded to jail.

It was between four and five o'clock when the judge resumed his seat upon the bench. The prisoner was again placed at the bar, and the housekeeper brought in and led to the box.

The court room was crowded to excess, and an awful silence pervaded the place.

The cross-examining counsel again addressed the housekeeper.

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